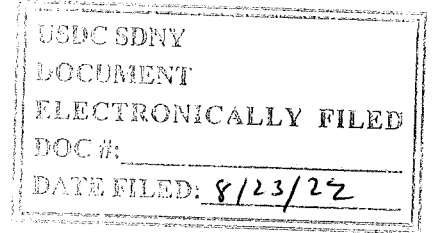


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JERMAINE MCGINNIS,
Plaintiff,

v.

ORANGE COUNTY; CORRECTION
OFFICER BANDES, Badge #105 or #106;
CORRECTION OFFICER M. CARTER, Badge
#339; CORRECTION OFFICER
DONAHOUGH; and CORRECTION OFFICER
D. POWEL,
Defendants.

ORDER

22 CV 3335 (VB)

Copies Mailed/Faxed SLA
Chambers of Vincent L. Briccetti

On August 22, 2022, the Court's mailings to plaintiff of the Court's order of service dated August 5, 2022 (Doc. #31), and the order denying defendants' motion to dismiss dated August 5, 2022 (Doc. #32), were returned and marked "[r]eturn to sender attempted - not known unable to forward." The mailings were sent to plaintiff at 140 Old Orangeburg Road, Orangeburg, NY 10962, the mailing address listed on his complaint. (See Doc. #1).

Plaintiff's letters received on June 24, 2022 (Docs. ##14-16), were mailed in envelopes with the return address of Rockland Psychiatric Center, Business Office, Orangeburg, New York 10962. Thus, Chambers will resend a copy of the returned mailings to this address.

It is plaintiff's obligation to provide the Court with a current address at which the Court may contact him by mail. Accordingly, plaintiff must promptly complete and return the attached notice of change of address to the Court by September 23, 2022, or the case may be dismissed for failure to comply with Court orders or dismissed for failure to prosecute. See Fed. R. Civ. P. 16(f), 41(b).

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket as well as the address listed above.

Dated: August 23, 2022
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge

IH-34

Rev:2014-1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

(List the full name(s) of the defendant(s)/respondent(s).)

22 CV 3335 (VB) ()

NOTICE OF CHANGE OF
ADDRESS

I hereby notify the Court that my address has changed to the following:

Name (Last, First, MI)

Address

City

State

Zip Code

Telephone Number

E-mail Address (if available)

Date

Signature

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JERMAINE MCGINNIS,
Plaintiff,

v.

ORANGE COUNTY; CORRECTION
OFFICER BANDES, Badge #105 or #106;
CORRECTION OFFICER M. CARTER, Badge
#339; CORRECTION OFFICER
DONAHOUGH; and CORRECTION OFFICER
D. POWEL,
Defendants.

ORDER

22 CV 3335 (VB)

Copies Mailed/Faxed
Chambers of Vincent L. Briccetti

Plaintiff, who is proceeding pro se and in forma pauperis, commenced this action by filing a complaint. (Doc. #1).

On July 21, 2022, the Court issued an Order pursuant to Valentin v. Dinkens, 121 F.3d 72 (2d Cir. 1997), directing the Orange County Attorney to identify defendant C.O. D. Powel and to provide service addresses for C.O. D. Powel and C.O. M. Carter. (Doc. #23).

On July 25, 2022, the Court received a letter from defense counsel identifying C.O. D. Powel as C.O. D. Powles and providing service addresses for defendants C.O. Michael Carter and C.O. D. Powles. (Doc. #26).

Thus, the Clerk is instructed to fill out a U.S. Marshals Service Process Receipt and Return form for C.O. Michael Carter and C.O. D. Powles, both with the address of Orange County Correctional Facility, 110 Wells Farm Road, Goshen, New York 10924, and further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon these defendants.

The Clerk is further instructed to substitute C.O. D. Powles for defendant Correction Officer D. Powel.

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket.

Dated: August 5, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti", written over a horizontal line.

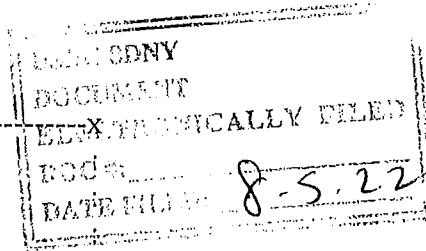
Vincent L. Briccetti
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JERMAINE MCGINNIS,
Plaintiff,

v.

ORANGE COUNTY; CORRECTION
OFFICER BANDES, Badge #105 or #106;
CORRECTION OFFICER M. CARTER, Badge
#339; CORRECTION OFFICER
DONAHOUGH; and CORRECTION OFFICER
D. POWEL,
Defendants.



ORDER

22 CV 3335 (VB)

Copies Mailed/Faxed
Chambers of Vincent L. Briccetti

8-5-22
DW

Plaintiff, who is proceeding pro se and in forma pauperis, commenced this action by filing a complaint. (Doc. #1). He asserts claims against defendants Orange County, Correction Officer Bandes, and Correction Officer Donahough, who have been served (the "Served Defendants"); and defendants Correction Officer M. Carter and Correction Officer D. Powles, who have not been served (the "Unserved Defendants").

On August 4, 2022, the Served Defendants moved to dismiss the complaint. (Doc. #27). In the interest of judicial efficiency, the motion to dismiss is DENIED WITHOUT PREJUDICE. After the Unserved Defendants have been served and have appeared in this action, the Court will set a deadline for all defendants to answer, move, or otherwise respond to the complaint. To the extent any defendants plan to move to dismiss and are represented by the same counsel, they must file a single, combined motion to dismiss.

The Clerk is instructed to terminate the motion. (Doc. #27).

Chambers will mail a copy of this Order to plaintiff at the address listed on the docket.

Dated: August 5, 2022
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge